

Message Text

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C O N F I D E N T I A L LAGOS 5136

E.O. 11652: GDS
TAGS: PGOV, NI, ECON, EINV
SUBJECT: THE LAND USE DECREE: IMPLEMENTATION IN YORUBALAND

REF: (A) IBADAN 438, (B) LAGOS 4784, (C) LAGOS 4753,
(D) LAGOS 4732, (E) LAGOS 4663

SUMMARY: ACCORDING TO ONDO STATE OFFICIALS, THE
STATE GOVERNMENT IS MOVING QUICKLY TO IMPLEMENT
THE NEW LAND USE DECREE. LAND USE ALLOCATION
COMMITTEES ARE BEING SET UP AT THE STATE LEVEL,
IN NINE URBAN AREAS, AND IN THE STATE'S SEVENTEEN
LOCAL GOVERNMENT AREAS. TRADITIONAL RULERS ARE
BEING APPOINTED TO THESE COMMITTEES IN AN EFFORT
TO DEFUSE THEIR OPPOSITION TO THE DECREE. END SUMMARY.

1. ON APRIL 20, EMBASSY OFFICER AND DEPUTY DESK
OFFICER MET WITH OFFICIALS OF THE ONDO STATE GOVERN-
MENT IN AKURE. AMONG THE TOPICS DISCUSSED WAS THE
IMPLEMENTATION OF THE LAND USE DECREE INCLUDING
THE ROLE TO BE PLAYED BY YORUBA TRADITIONAL RULERS
IN ITS OPERATION.

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2. ONDO STATE'S POPULATION IS OVERWHELMINGLY
YORUBA WITH THE EXCEPTION OF SMALL NON-YORUBA
ETHNIC MINORITIES IN THE RIVERINE PART OF THE STATE
ALONG THE COAST. AS IS THE CASE THROUGHOUT
YORUBALAND, TRADITIONAL RULERS OCCUPY A POSITION
OF DEFERENCE WITHIN SOCIETY WHICH IS REFLECTED IN
THE DIRECT FINANCIAL SUPPORT THEY RECEIVE FROM

THE SEVENTEEN LOCAL GOVERNMENT AUTHORITIES (LGA) IN THE STATE. IN STRESSING THIS POSITION, B. O. OLADUJI, ACTING PERMSEC FOR THE MINISTRY OF LOCAL GOVERNMENT, SHOWED US BUDGET DATA IN WHICH THE AKOKO LGA WILL PAY ITS 35 TRADITIONAL RULERS 25,000 Naira THIS YEAR, RANGING FROM 4,000 Naira FOR THE OLUBAKA OF OKA DOWN TO 150 Naira TO THENGWUT ELEPIRI OF EPIRI. THE AKURE LGA WILL DISBURSE 32,000 Naira TEKKEP TRADITIONAL RULERS WHILE THE OWO LGA WILL PAY 45,350 Naira TO 80 OBAS. OLADUJI SAID THAT NO LGA IS ALLOWED TO SPEND MORE THAN ONE-THIRD OF ITS BUDGET ON TRADITIONAL RULERS.

3 KOVON FORMULATION ON THE DECREE, T. A. IWAJOMO, SECRETARY TO THE MILITARY GOVERNOR (SMG) AND HEAD OF SERVICE, TOLD US THAT BECAUSE OF RUMORS OF THE IMPENDING LAND USE DECREE THE MILITARY GOVERNOR MET WITH THE OBAS SEVERAL DAYS BEFORE THE DECREE WAS ANNOUNCED. DESPITE THEIR RESERVATIONS, THE KIND OF UPROAR (REF D) WHICH OCCURRED IN OYO STATE WAS AVOIDED. OLADUJI COMMENTED, HOWEVER, THAT VOCAL OPPOSITION WAS PREVENTED BY THE FACT THAT THE OBAS ARE 'AFRAID' OF THE MILITARY GOVERNOR. NEVERTHELESS, THEY WERE ASSURED THAT THEIR AUTHORITY WOULD BE CONSIDERED IN IMPLEMENTATION. CONFIDENTIAL

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4. ON IMPLEMENTATION, IWAJOMA SAID THINGS WERE MOVING QUICKLY. LAND SALES AND TRANSFERS IN THE STATE HAVE BEEN SUSPENDED. AN 18-MAN STATE LAND USE AND ALLOCATION COMMITTEE (LUAC) HAS BEEN SET UP, HEADED BY THE PERMSEC FOR THE LANDS DIVISION OF WORKS AND HOUSING. IT INCLUDES THE CHAIRMAN OF THE STATE COUNCIL OF TRADITIONAL RULERS, THE DEJI OF AKURE, OBA ADELEGAN ADESIDA. NINE TOWNS IN ONDO STATE - ADO-EKITI, AKURE, IJERO, IKARE, TKERE, IKOLE, OKITIPUPA, ONDO, AND OWO - HAVE BEEN DESIGNATED AS URBAN AREAS UNDER THE DECREE. ALL LAND WITHIN FIVE TO SEVEN KILOMETERS OF THE TOWN CENTERS WILL BE UNDER THE CONTROL OF THE NINE LUAC'S BEING SET UP UNDER THE DIRECT AUTHORITY OF THE GOVERNOR. IN ADDITION, LUAC'S WILL BE SET UP FOR EACH LGA TO DEAL WITH RURAL LAND IN THE STATE. A NEW MINISTRY OF LANDS, SURVEY, AND PLANNING WILL BE ESTABLISHED AT THE TOP TO COORDINATE THE WORK OF THE LUAC'S.

5. ON MANNING THE LUAC'S, OLADUJI SAID NAMES

HAVE ALREADY BEEN SUBMITTED TO THE MILITARY GOVERNOR AND APPOINTMENTS WILL BE MADE SOON. OLADUJI ADDED THE SYSTEM SHOULD BE FUNCTIONING WITHIN A MONTH. (IWAJOMA SAID WITHIN A WEEK.) IWAJOMO ADDED THAT TRADITIONAL RULERS WILL BE REPRESENTED ON EVERY LUAC. ON LGA LUAC'S, THE LEADING OBA WILL SERVE AS THE CHAIRMAN. IN THE NINE URBAN LUAC'S, THE PRESIDENT OF THE LOCAL GOVERNMENT COUNCIL WILL BE CHAIRMAN. THUS, TRADITIONAL RULERS WHO HOLD THIS OFFICE IN SOME CASES MAY ALSO BE CHAIRMEN.

6. ON THE OPERATION OF THE LUAC'S, OLADUJI SAID THE MAIN LAND PROBLEM IN YORUBA AREAS WAS THE CONFIDENTIAL

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DIFFICULTY IN OBTAINING UNENCUMBERED TITLE TO A PIECE OF PROPERTY. BECAUSE OF YORUBA FAMILY STRUCTURE AND INHERITANCE PRACTICE, A PIECE OF LAND MIGHT BE PASSED ALONG TO SEVERAL HEIRS, FOR EXAMPLE TO THREE SONS BY THREE DIFFERENT MOTHERS AND ONE FATHER. TO GET CLEAR TITLE WAS PRACTICALLY IMPOSSIBLE BECAUSE AS SOON AS THE NEW OWNER BEGAN TO BUILD SOMETHING, ANOTHER 'HEIR' WOULD MATERIALIZE, DEMANDING COMPENSATION. UNDER THE NEW SYSTEM, ACCORDING TO THE SMG, AN APPLICATION MUST BE ACTED UPON BY THE LUAC WITHIN SIX WEEKS AND THE FIRST APPLICATION WOULD AUTOMATICALLY BE ACCEPTED. IWAJOMA SAID THAT THE NEW LAND USER COULD FEEL SECURE IN HIS RIGHT TO DEVELOP THE PROPERTY.

7. COMMENT: THE SMG STRESSED THAT THE 'KEY' TO THE EFFECT OF THE DECREE WILL BE ITS IMPLEMENTATION. AT LEAST IN ONDO STATE AND PERHAPS IN YORUBALAND AS A WHOLE, THE GOVERNMENT HAS CLEARLY DECIDED TO CO-OPT THE TRADITIONAL RULERS INTO THE SYSTEM. THIS ACTION BY THE GOVERNMENT SHOULD HELP TO DEFUSE OPPOSITION AMONG TRADITIONAL RULERS AND MAY IN FACT ASSIST THE OPERATION OF THE DECREE. IN THAT REGARD, AN OFFICIAL IN THE STATE FINANCE MINISTRY SAID THAT NO ONE IN RURAL YORUBALAND WOULD ACTUALLY BELIEVE HE WAS LEGITIMATELY GETTING TO USE A PIECE OF LAND UNLESS IT HAD BEEN SANCTIONED BY THE LOCAL OBA. ON THE OTHER HAND, CO-OPTING THE TRADITIONAL RULERS COULD FUNDAMENTALLY AFFECT THE OPERATION OF THE DECREE IN WAYS NOT DESIRED BY THE GOVERNMENT. AS IWAJOMA SAID, IMPLEMENTATION IS STILL THE KEY. CONFIDENTIAL

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